

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Partha S. Banerjee et al.                      Art Unit : 1617  
Serial No. : 09/887,496                                      Examiner : Shaojia A. Jiang  
Filed : June 22, 2001                                      Cust. No. : 20985  
Conf. No. : 7707  
Title : FORMOTEROL/STEROID BRONCHODILATING COMPOSITIONS AND  
METHODS OF USE THEREOF

**Mail Stop RCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN  
ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Since this Supplemental Information Disclosure Statement is filed with a Request for Continued Examination and before the receipt of a first Office Action on the merits of the Request for Continued Examination for the above-captioned application, no filing fee is due. If it is determined that a fee is due, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (1 page) and copies of the cited non U.S. Patent documents are provided herewith.

The documents cited on the Forms PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
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I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.  
Stephanie L. Seidman

Applicant also makes known to the Examiner the following pending U.S., International Applications that have one or more common inventors and/or are commonly owned:

|                                  |                           |                          |
|----------------------------------|---------------------------|--------------------------|
| <b><u>U.S.S.N.(App. No.)</u></b> | <b><u>Filing Date</u></b> | <b><u>Docket No.</u></b> |
| 10/887,785                       | 07/09/04                  | 012001/1025              |
| <b><u>Int'l Appln. No.</u></b>   | <b><u>Filing Date</u></b> | <b><u>Docket No.</u></b> |
| PCT/US2004/22217                 | 07/09/04                  | 012WO1/1025PC            |

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and they be made of record in the file history of the above-captioned application.

Respectfully submitted,

Stephanie Seidman  
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Attorney Docket No. 17108-005001/1014

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|---|--|--|-------------------------------|
| Substitute Form PTO-1449<br>(Modified)  | U.S. Department of Commerce<br>Patent and Trademark Office | Attorney's Docket No.<br>17108-005001/1014 | Application No.<br>09/887,496 |
| <b>List of Patents and Publications for Applicant's<br/>Information Disclosure Statement</b><br><br>(37 CFR §1.98(b)) |  | Applicant<br>Partha S. Banerjee et al.     |                               |
|   |  | Filing Date<br>June 22, 2001               | Group Art Unit<br>1617        |

**U.S. Patent Documents**

| Examiner Initial | Desig. ID | Document Number | Publication Date | Patentee         | Class | Subclass | Filing Date If Appropriate |
|------------------|-----------|-----------------|------------------|------------------|-------|----------|----------------------------|
|                  | AA        | 2002/0183293    | 12/05/02         | Banerjee et al.  | 514   | 171      | 05/13/02                   |
|                  | AB        | 5,434,304       | 07/18/95         | Trofast et al.   | 564   | 221      | 09/20/94                   |
|                  | AC        | 5,637,620       | 06/10/97         | Trofast et al.   | 514   | 630      | 06/02/95                   |
|                  | AD        | 6,199,607       | 03/13/01         | Trofast et al.   | 141   | 392      | 09/22/99                   |
|                  | AE        | 6,598,603       | 07/29/03         | Andersson et al. | 128   | 200.24   | 12/23/98                   |

**Foreign Patent Documents or Published Foreign Patent Applications**

| Examiner Initial | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation |    |
|------------------|-----------|-----------------|------------------|--------------------------|-------|----------|-------------|----|
|                  |           |                 |                  |                          |       |          | Yes         | No |
|                  | AF        | 92/05147        | 04/02/92         | PCT                      |       |          |             |    |
|                  |           |                 |                  |                          |       |          |             |    |

**Other Documents (include Author, Title, Date, and Place of Publication)**

| Examiner Initial | Desig. ID | Document  |
|------------------|-----------|---|
|                  | AG        | Siegel, F., "Tonicity, osmoticity, osmolality and osmolarity," <i>Remington's Pharmaceutical Sciences, Seventeenth edition</i> , Chpt. 80, pp. 1455-1472 (1985) |
|                  |           |   |
|                  |           |   |

|   |                 |
|---|-----------------|
| Examiner Signature  | Date Considered |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |                 |